

## Special Town Meeting OK's Delano Purchase

By SUSANNA SHEEHAN

On a vote of 450 to 51, residents at the special town meeting Monday night approved the purchase of 33 acres off Old Cordwood Path from Martin and Nora Delano for \$1.7 million, the \$1.65 million negotiated price plus costs.

The standing-room only crowd filling the high school auditorium bought the land for open space, aquifer protection, and to develop a new well. Up to two units of affordable housing may also be created there.

Located in northwest Duxbury, the Delano property consists of two parcels with 24 acres of upland and 8.5 acres of wetlands. The land is both meadow and woods and contains wildlife, vernal pools and possible archeological sites. It contains a house and a barn.

Debate on this article took up much of the meeting with

some residents questioning the price of the land and wondering if the town was being forced to pay more than the land was worth in order to prevent a proposed Chapter 40B development.

The Delano property has been considered for development in the past, first as a 16-lot subdivision rejected by the planning board and more recently as a 51-unit Chapter 40B development. Known as the anti-snob zoning law, Chapter 40B allows developers to bypass local zoning and usual town reviews when developing land as long as 25 percent of the homes are affordable. Chapter 40B is used in towns that have less than 10 percent of their housing classified as affordable. Duxbury's affordable housing totals three percent.

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The Delano development would have set aside 13 of the 51 condos for affordable housing. The development has been in hearings with the Zoning Board of Appeals for the last year.

Now that the town has bought the land, two acres can be set aside for affordable housing. The 1,900 square foot house and barn on the property may be used for that purpose. Due to access problems of Old Cordwood Path, a second affordable unit could be an accessory apartment.

Alison Rich of the Fiscal Advisory committee said the price of \$1.65 million "exceeds the value of the property." She said the price was based on the value of 51 units, but since there were no accepted plans for the development, the town should only have paid \$1.38 million, which was the price offered at the town's right of first refusal. Rich and some others on the Fiscal Advisory committee felt "\$65,000 per undevelopable, inaccessible acre" was too much money to pay.

Standish St. resident Will Zachmann said the developers were "holding a Chapter 40B gun to our heads" in getting the town to pay this price. He didn't think the land would be developed into 51 units in the near future and felt that with shaky economic times, the town should not be borrowing money it didn't have to pay for this property. He predicted at future town meetings residents would be debating cuts in town and school personnel to balance the budget.

In speaking against the purchase, Zachmann said: "Let's buy on credit again. Let's spend money we don't have."

Money generated from the town-adopted Community Preservation Act three percent property tax surcharge will pay for the Delano land. As of July, Duxbury will have raised \$830,000. According to Community Preservation Committee Chairman Ed McGlinchey,

the state is expected to fully match that amount in October, increasing the fund to \$1.66 million. In the next fiscal year, Duxbury will raise \$880,000 through the surcharge. McGlinchey said there's a good chance for a second year 100 percent match from the state, so that would bring the fund up to over \$3.4 million. The state has raised this money through registry fees and it sits in a trust fund.

Supporters of the Delano land purchase said it would protect the town's drinking water because it sat in a Zone II aquifer protection district that was located above five future wells,

two of which are under development. Also, if the water department determines it can build a new 500,000-gallon-a-day well on the site, it will obtain 14 to 16 acres of the land and pay for it with water revenue.

"It's absolutely crucial that this town has a safe and adequate water supply," said Holly Morris of the Community Preservation Committee.

"There's a time to take a measure of yourself and know when to invest in the future," said former selectman Ruth Rowley. "If we don't have water, there's no future."